

AF / ERW



PATENT
New Attorney Docket No. 144009.00100
Old Attorney Docket No. 031672.0004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Wm.A. Knaus & R.D. Marks)
U.S. Appl. No.: 09/816,152) Group Art Unit: 3626
Filing Date: March 26, 2001) Examiner: Lena Najarian
Title: BROADBAND COMPUTER-BASED NETWORKED SYSTEMS
FOR CONTROL AND MANAGEMENT OF MEDICAL RECORDS

MAIL STOP - AMENDMENT

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

RESPONSE TO PTO COMMUNICATION

A Communication regarding the above-captioned patent application was recently found on the U.S. Patent and Trademark Office ("PTO") website (www.uspto.gov). A copy of that Communication, which is mail dated September 30, 2005, as obtained from the web site, is attached here.

Briefly, the Communication alleges that Applicant's prior Amendment, filed and dated June 17, 2005 in response to a non-final Office Action, was insufficient because new Figure 8, which was enclosed with that Amendment, did not recite in the top margin "NEW SHEET".

Enclosed here is a new Figure 8 with the phrase NEW SHEET clearly indicated in the margin. Accordingly, applicant respectfully requests that the PTO accept this new figure.

The Communication requests a response from applicant within 30 days of the mail date of the Communication, or by October 30th. However, the Communication was

incorrectly addressed to applicant's old address. A proper change of address was filed for this case on February 11, 2005. A copy of the change of address forms along with a copy of the post card, stamped received by the PTO mail room, is enclosed.

Nevertheless, because this Response is being filed before stated deadline of October 30th, for this one instance only, applicant will not request that the Communication be re-issued, provided that this Response including new Figure 8 is accepted by the PTO.

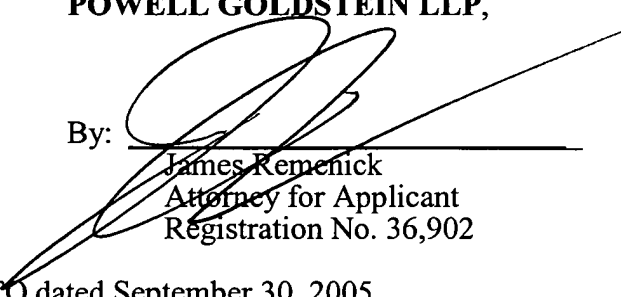
If this Response is not accepted for any reason, applicant respectfully requests that the Communication be re-issued to applicant at their correct address.

Conclusion

No fees are believed to be due with the filing of this Response to Communication. However, if any fees are later determined to be due, including any fees for an extension of time, applicant respectfully requests that extension and that all such fees be charged to **Deposit Account No. 50-1682, referencing Attorney Docket No. 144009.00100.**

Respectfully submitted
POWELL GOLDSTEIN LLP,

Date: October 25, 2005

By: 
James Remenick
Attorney for Applicant
Registration No. 36,902

Enclosed: Communication from PTO dated September 30, 2005
New Sheet – Figure 8
Change of Address forms and stamped post card

Customer No. 51362
Powell Goldstein LLP
901 New York Ave., N.W.
Suite 300
Washington, DC 20001-4413
Telephone: (202) 347-0066
Facsimile: (202) 624-7222



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/816,152

03/26/2001

William A. Knaus

031672.0004-

6441

25227

7590

09/30/2005

MORRISON & FOERSTER LLP
1650 TYSONS BOULEVARD
SUITE 300
MCLEAN, VA 22102



EXAMINER

NAJARIAN, LENA

ART UNIT

PAPER NUMBER

3626

DATE MAILED: 09/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Notice of Non-Compliant
Amendment (37 CFR 1.121)**

Application No.

09/896 152

Applicant(s)

Examiner

Majarian

Art Unit

3626



— The MAILING DATE of this communication appears on the cover sheet with the correspondence address —

The amendment document filed on 7-7-05 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121 or 1.4. In order for the amendment document to be compliant, correction of the following item(s) is required.

THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

☐ 1. Amendments to the specification:

- ☐ A. Amended paragraph(s) do not include markings.
☐ B. New paragraph(s) should not be underlined.
☐ C. Other _____

☐ 2. Abstract:

- ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
☐ B. Other _____

☒ 3. Amendments to the drawings:

- ☒ A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d).
☐ B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.
☐ C. Other _____

☐ 4. Amendments to the claims:

- ☐ A. A complete listing of all of the claims is not present.
☐ B. The listing of claims does not include the text of all pending claims (including withdrawn claims)
☐ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Canceled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended).
☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
☐ E. Other: _____

☐ 5. The amendment is unsigned or not signed in accordance with 37 CFR 1.4.

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714 and the USPTO website at <http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/officeflyer.pdf>.

TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:

1. Applicant is given **no new time period** if the non-compliant amendment is an after-final amendment or an amendment filed after allowance. If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the **entire corrected amendment** must be resubmitted within the time period set forth in the final Office action.
2. Applicant is given **one month**, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the **corrected section** of the non-compliant amendment in compliance with 37 CFR 1.121 or 1.4, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a Quayle action.

Extensions of time are available under 37 CFR 1.136(a) only if the non-compliant amendment is a non-final amendment or an amendment filed in response to a Quayle action.

Failure to timely respond to this notice will result in:

Abandonment of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a Quayle action; or

Non-entry of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.

Souman Ellis
Legal Instruments Examiner (LIE)

571-272-6588
Telephone No.



PATENT

Old Attorney Docket No. 54436-20001.00

New Attorney Docket No. 144009.00100

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)

William A. KNAUS et al.)

Application No.: 09/816,152)

Filed: March 26, 2001)

Group Art Unit: 2161

Examiner: To Be Assigned

Title: BROADBAND COMPUTER-BASED NETWORKED SYSTEMS FOR
CONTROL AND MANAGEMENT OF MEDICAL RECORDS

Commissioner for Patents

United States Patent and Trademark Office

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

CHANGE OF CORRESPONDENCE ADDRESS

The undersigned hereby requests that all future correspondence regarding the above-captioned patent application be directed to the following:

James Remenick
Powell Goldstein LLP
Intellectual Property Group
901 New York Avenue, N.W., Third Floor
Washington, DC 20001
Tel: 202-347-0066
Fax: 202-624-7222
E-mail: jremenick@pogolaw.com

This Change of Address request is an effort to ensure that future correspondence is correctly identified and mailed to the above stated address.

COPY

Appl. No. 09/816,152

In the event fees are due in this application, the Commissioner is authorized to charge such fees to the undersigned's Deposit Account No. 50-1682.

Respectfully submitted,
POWELL GOLDSTEIN LLP

Date: February 11, 2005

By: 

James Remenick
Attorney of Record
Registration No. 36,902

Customer No. 051362
Powell Goldstein LLP
Intellectual Property Group
901 New York Avenue, N.W., Third Floor
Washington, DC 20001
Telephone: (202) 347-0066
Facsimile: (202) 624-7222



PATENT

DATE: February 11, 2005

Applicant: William A. KNAUS et al.

Application No.: 09/816,152

Title: BROADBAND COMPUTER-BASED NETWORKED SYSTEMS FOR
CONTROL AND MANAGEMENT OF MEDICAL RECORDS

Old Docket No.: 54436-20001.00

New Docket No.: 144009.00100

Atty: JR/nej

Client: Patient Command

Filing Date: March 26, 2001

The following has been received in the U.S. Patent and Trademark Office on the
date stamped hereon:

- ☒ Change of Correspondence Address (2 pgs)
- ☒ Status Inquiry (1 pg)



COPY